

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE: DANIEL JAMES HIESEL,	{	CHAPTER 13
	{	
	{	
DEBTOR(S)	{	CASE NO. A18-59264-SMS
	{	
	{	JUDGE SIGLER

OBJECTION TO CONFIRMATION

COMES NOW MARY IDA TOWNSON, TRUSTEE herein, and objects to Confirmation of the plan for the following reasons:

1. The Debtor(s)' payments under the proposed plan are not current.
2. The Plan as proposed will extend beyond sixty (60) months, contrary to 11 U.S.C. Section 1322(d). (68 months).
3. The Debtor has failed to provide the Trustee with a copy of the federal tax return or transcript of such return for the most recent tax year ending immediately before the commencement of the instant case and for which a federal income tax return was filed, in violation of 11 U.S.C. Section 521(e)(2)(A)(i); specifically, the copy or transcript of the Debtor's tax return was received with illegible portions.
4. The Debtor(s)' Statement of Financial Affairs is inaccurate and/or incomplete; the Trustee is unable to determine the feasibility of the proposed plan. 11 U.S.C. Section 1325(a)(6); specifically, 2018 year to date income is omitted on question 4 and question 16 omits credit counseling fee paid June of 2018.
5. The Chapter 13 petition and schedules fail to disclose a retirement account, in violation of 11 U.S.C. Section 521.
6. The payout of the claim(s) owed to Wells Fargo Bank, N. A. will extend beyond sixty (60) months, contrary to 11 U.S.C. Section 1322(d).

Mary Ida Townson, Chapter 13 Trustee
Suite 2200 - 191 Peachtree Street, N.E.
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7. After review of scheduled income and anticipated household expenses, Debtor(s)' proposed budget may fail to provide sufficient funds for ordinary living expenses, in possible violation of 11 U.S.C. Section 1325(a)(6).

WHEREFORE, the Trustee moves the Court to inquire into the above objections, deny Confirmation of this Debtor's (s') Plan and to dismiss the case; or, in the alternative, convert the case to one under Chapter 7.

July 19, 2018

_____/s/_____
Mary Ida Townson, Attorney
Chapter 13 Trustee
GA Bar No. 715063 or
K. Edward Safir, Attorney
For Chapter 13 Trustee
GA Bar No. 622149

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A18-59264-SMS

CERTIFICATE OF SERVICE

This is to certify that I have this day served

DEBTOR(S):

DANIEL JAMES HIESEL
5893 RONNIE DRIVE
REX, GA 30273

ATTORNEY FOR DEBTOR(S):

DARRELL L. BURROW
BURROW & ASSOCIATES, LLC
BUILDING A, SUITE 100
2280 SATELLITE BLVD.
DULUTH, GA 30097

in the foregoing matter with a copy of this pleading by
depositing in the United States Mail a copy of same in a
properly addressed envelope with adequate postage thereon.

This 19th day of July 2018

/s/

Mary Ida Townson, Attorney
Chapter 13 Trustee
GA Bar No. 715063 or
K. Edward Safir, Attorney
For Chapter 13 Trustee
GA Bar No. 622149

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